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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/572,608	04/17/2006	Daniel Migault	33155.33	7650
7550 10/29/2008				
Gerald E Helget Briggs and Morgan Suite 2200 80 South Eight Street Minneapolis, MN 55402			EXAMINER KIM, EDWARD J	
			ART UNIT 2455	PAPER NUMBER
			MAIL DATE 10/29/2008	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/572,608

Applicant(s)

MIGAUT, DANIEL

Examiner

EDWARD J. KIM

Art Unit

2455

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 21 July 2008.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-7 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-7 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SF/ICE)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

1. This office action is in response to the amendment filed on 07/21/2008.
2. Claims 1-7 are pending in this Office Action.

Response to Amendment

3. The Examiner withdraws previous 35 U.S.C. 112 rejections.
4. Claims 6 and 7 were not present in the Preliminary Amendment filed with the Application on 03/20/2006. Nonetheless, the Examiner has discussed claims 6 and 7 in this Office Action.

Claim Rejections - 35 USC § 102

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

6. Claims 1-5 are rejected under 35 U.S.C. 102(e) as being anticipated by over Shelest et al. (US Patent #7,299,491 B2), hereinafter referred to as Shelest.

Shelest discloses methods, systems, and computer program products for resolving domain name system records based on client authentication.

Regarding claim 1, a telecommunications system comprising a reference server connected to at least one terminal by means of a communication network, said reference server

further comprising a database comprising data associated with at least one domain name (Shelest, Abstract, col.1 ln.12-15, col.2 ln.28-35), and said system comprising at least one first and one secondary auxiliary server containing data previously recorded within said database of said reference server (Shelest, figure 4, col.2 ln.35-39, col.8 ln.27-35) and respectively provided with first and second authorization access levels (Shelest, figure 4, col.4 ln.15-23, ln.35-40, ln.44-47, 51-65, col.7 ln.9-20). Shelest discloses servers, which have different levels/types of access restriction.), at least one of the first and second auxiliary servers being provided with identification means for preventing any access to the data that it contains by terminals not having access authorization compatible with the authorization access level attributed to the data contained in this auxiliary server (Shelest, figure 4, col.4 ln.15-23, ln.35-40, ln.44-47, 51-65, col.7 ln.9-20).

Regarding claim 2, Shelest disclosed the limitations, as described in claim 1, and further discloses a telecommunication system comprised in that the database is provided with means of duplicating the data contained in the reference server to the first and second auxiliary servers according to the authorization access levels attributed to the said data (Shelest, figure 4, col.2 ln.35-39, col.8 ln.27-35, col.4 ln.15-23, ln.35-40, ln.44-47, 51-65, col.7 ln.9-20).

Regarding claim 3, Shelest disclosed the limitations, as described in claim 1, and further discloses, a telecommunication system comprised in that first and second auxiliary servers are provided with identification means to prevent any access to the data contained in the first and second auxiliary servers by terminals not having access authorizations respectively compatible with the first and second authorization access levels (Shelest, figure 4, col.4 ln.15-23, ln.35-40, ln.44-47, 51-65, col.7 ln.9-20, col.2 ln.35-39, col.8 ln.27-35).

Regarding claim 4, Shelest disclosed the limitations, as described in claim 1, and further discloses, a telecommunications system comprised in that the reference server is provided with identification means for preventing of any reading of data contained in the said reference server from terminals not having access authorization compatible with the third authorization access levels (Shelest, figure 4, col.4 ln.15-23, ln.35-40, ln.44-47, 51-65, col.7 ln.9-20, col.2 ln.35-39, col.8 ln.27-35).

Regarding claim 5, Shelest disclosed the limitations, as described in claim 1, and further discloses, a telecommunications system comprised in that the third authorization access levels has a restrictive effect greater than the restrictive effects produced by the first and second authorization access levels (Shelest, figure 4, col.4 ln.15-23, ln.35-40, ln.44-47, 51-65, col.7 ln.9-20, col.2 ln.35-39, col.8 ln.27-35).

Regarding claim 6, Shelest disclosed the limitations, as described in claim 1, and further discloses, a telecommunication system comprised in that the reference server is provided with identification means for preventing any writing of data in the said reference server from a terminal not having access authorization compatible with an authorization access level having a restrictive effect greater than the restrictive effect produced by all the other authorization access levels attributed to the data contained in the reference server and the auxiliary servers (Shelest, figure 4, col.4 ln.15-23, ln.35-40, ln.44-47, 51-65, col.7 ln.9-20, col.2 ln.35-39, col.8 ln.27-35).

Regarding claim 7, Shelest discloses a device for storing information comprising a reference server and at least a first and second auxiliary server containing data previously recorded within the reference server and respectively provided with a first and second authorization access level, at least one of the first and second auxiliary servers being provided

with identification means for preventing any access to the data that they contain by applicants not having access authorization compatible with the authorization access level attributed to the data contained in this auxiliary server (Shelest, figure 4, col.4 ln.15-23, ln.35-40, ln.44-47, 51-65, col.7 ln.9-20, col.2 ln.35-39, col.8 ln.27-35).

Response to Arguments

7. Applicant's arguments filed 07/21/2008 have been fully considered but they are not persuasive.

8. The Examiner has previously noted in the Conclusion:

“Examiner’s Note: Examiner has cited particular columns and line numbers in the references applied to the claims above for the convenience of the applicant. Although the specified citations are representative of the teachings of the art and are applied to specific limitations within the individual claim, other passages and figures may apply as well. It is respectfully requested from the applicant in preparing responses, to fully consider the references in entirety as potentially teaching all or part of the claimed invention, as well as the context of the passage as taught by the prior art or disclosed by the Examiner.”

9. The Applicant argues,

“As to claim 1, Shelest does not disclose first and second auxiliary servers containing data previously recorded within a database of said reference server and respectively provided with a first and second authorization access level.” (refer to pg.5 of Amendment filed 07/21/2008).

The Examiner respectfully disagrees.

Throughout the disclosure, Shelest discloses servers, which have different levels/types of access restrictions. For example, client authentication is required for domain name resolution (col.7 ln.45-50), access to remote clients (col.6 ln.35-41), via various protocols (col.9 ln.60-63),

or no client authentication (col.9 ln.15-21). Also Shelest discloses throughout the disclosure, the use of cached domain name resolution (col.2 ln.35-39, col.8 ln.27-34).

The Applicant argues,

“The invention allows keeping personal domain names owner data or technical data confidential, i.e., allows not showing for example the name, phone number, or address of a domain name owner” (refer to pg.5 of Amendment filed 07/21/2008).

This subject matter is not incorporated into the claim language. The Applicant is reminded that the Examiner takes the broadest reasonable interpretation of the claim language for examination purposes.

The Applicant argues,

“Furthermore, Shelest does not disclose that the data included in the first and second auxiliary servers are data issued from the reference server and that these data are spread over both auxiliary servers relative to an authorization access level attributed to the data.”

The subject matter in discussion, where the data are spread over relative to an authorization access level, is not supported by the claim language. The claim language reads as preventing access to data by terminals not having compatible authorization level. There is no reference to the data being spread over according to access level.

The Applicant argues regarding claim 2 that Shelest does not disclose means of duplicating data contained in the single domain name server. The Examiner notes that Shelest discloses throughout the disclosure, the use of cached domain name resolution (col.2 ln.35-39, col.8 ln.27-34).

The Applicant argues regarding claim 3 that Shelest does not disclose identification means to prevent access by terminals not having compatible access levels. The Examiner notes that throughout the disclosure, Shelest discloses servers, which have different levels/types of access restrictions. For example, client authentication is required for domain name resolution (col.7 ln.45-50), access to remote clients (col.6 ln.35-41), via various protocols (col.9 ln.60-63), or no client authentication (col.9 ln.15-21). The access restrictions are different for authoritative servers and additional servers.

The Applicant argues regarding claim 4 that Shelest does not disclose preventing read access from terminals not having adequate authorization level. The Examiner notes that throughout the disclosure, Shelest discloses that the terminals will not have access to the data on the servers without adequate authentication. For example refer to col.5 ln.1-5, col.7 ln.45-55, col.9 ln.1-10, etc.

The Applicant argues regarding claim 5 that Shelest does not disclose third authorization access level has a restrictive effect greater than the restrictive effects produced by the first and second authorization levels. The Examiner notes that Shelest discloses various authorization levels being used in the system for authentication. There may be no authentication required, and several different levels of authentication are also implemented.

Conclusion

10. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

Examiner's Note: The Examiner notes that the claim language seems to be overly broad, not referencing to full extent the disclosure the Applicant has provided as response in the Amendment filed. The Examiner suggests further clarifying the claim language to reference the core invention.

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to EDWARD J. KIM whose telephone number is (571)270-3228. The examiner can normally be reached on Monday - Friday 7:30am - 5:00pm EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Saleh Najjar can be reached on (571) 272-4006. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Edward J Kim/
Examiner, Art Unit 2455

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